

REMARKS

This Amendment is responsive to the Office Action dated December 31, 2003.

Claims 2, 5-9, 11 and 14-16 were pending in the application. In the Office Action, claims 2, 5, 8, 9, 11 and 14 were rejected, and claims 6, 7, 15 and 16 were objected to. In this Amendment, claims 2, 5, 11 and 14 have been amended. Claims 2, 5-9, 11 and 14-16 thus remain for consideration.

Applicants submit that claims 2, 5-9, 11 and 14-16 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

§103 Rejections / Claim Objections

Claims 5 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dahlman et al. (U.S. Patent No. 6,222,875).

Claims 2, 8, 9 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dahlman, further in view of Lee et al. (U.S. Patent No. 6,389,058)

Claims 6, 7, 15 and 16 were objected to as being dependent upon a rejected base claim.

Applicants submit that the independent claims (claims 2, 5, 11 and 14) are patentable over Dahlman and Lee.

Applicants' invention as recited in the independent claims is directed toward a system and method for detecting information symbols transmitted according to a CDMA technique. Each of the claims recites the use of multiple spreading codes and multiple scrambling codes. Each of the claims further recites that multiple descrambling operations are

performed using respective ones of multiple scrambling codes. For example, claim 11 recites in pertinent part: “a set of k descrambling steps ... whereby said k descrambling steps include the use of respective ones of k scrambling codes.”

Neither Dahlman nor Lee discloses the detection of symbols encoded with both multiple spreading codes and multiple scrambling codes, wherein the detection is performed through the use of multiple descrambling operations that use respective scrambling codes. In particular, Applicants note that Dahlman employs only one scrambling code (see Dahlman col. 4, line 66 – col. 5, line 1; col. 5, line 66 – col. 6, line 3; Fig. 2 and Fig. 5, element “Cscr”). Accordingly, Applicants believe that claims 2, 5, 11 and 14 are patentable over Dahlman and Lee on at least this basis.

Claims 6 and 7 depend on claim 5. Since claim 5 is believed to be patentable over the cited references, claims 6 and 7 are believed to be patentable over the cited references on the basis of their dependency on claim 5.

Claims 8 and 9 depend on claim 2. Since claim 2 is believed to be patentable over the cited references, claims 8 and 9 are believed to be patentable over the cited references on the basis of their dependency on claim 2.

Claims 15 and 16 depend on claim 14. Since claim 14 is believed to be patentable over the cited references, claims 15 and 16 are believed to be patentable over the cited references on the basis of their dependency on claim 14.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.


The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

PATENT
450117-02106

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: 
Bruno Polito
Reg. No. 38,580
(212) 588-0800